

AMENDED IN ASSEMBLY APRIL 14, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1224

Introduced by Assembly Member Eng

February 27, 2009

An act to add Section 20002.5 to the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1224, as amended, Eng. Vehicles: hit and run violations: animals.

Existing law requires the driver of any vehicle involved in an accident resulting in injury or death to another person to immediately stop the vehicle at the scene of the accident and to fulfill specified requirements. Under existing law, a violation of this provision is either a felony or a misdemeanor.

~~This bill would declare the Legislature's intent to enact legislation to include animals, pets, and livestock under the basic "hit and run" statute in order to fine drivers who leave the scene of an accident without trying to contact the owner or local authorities or render aid to the injured animal, pet, or farm animal.~~

This bill would require the driver of any vehicle involved in an accident resulting in an injury to a dog, a cat, or livestock to immediately stop the vehicle at the nearest location that will not impede traffic or otherwise jeopardize the safety of other motorists, and to comply with specific notification requirements. The bill would require any person who parks a vehicle that, prior to the vehicle again being driven, becomes a runaway vehicle and is involved in an accident resulting in injury to a dog, a cat, or livestock, attended or unattended, to comply with those notification requirements. The bill would make a

violation of these provisions an infraction punishable by a fine of not more than \$100 for a first offense and of not less than \$50 nor more than \$200 for a second or subsequent offense.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 20002.5 is added to the Vehicle Code, to
2 read:

3 20002.5. (a) The driver of a vehicle involved in an accident
4 resulting in an injury to a dog, a cat, or livestock shall immediately
5 stop the vehicle at the nearest location that will not impede traffic
6 or otherwise jeopardize the safety of other motorists. Moving the
7 vehicle in accordance with this subdivision does not affect the
8 question of fault. The driver shall also immediately do the
9 following:

10 (1) Without unnecessary delay, notify a local agency or animal
11 control of the city wherein the collision occurred or, if the collision
12 occurred in unincorporated territory, the local headquarters of
13 the Department of the California Highway Patrol.

14 (2) If the owner or person in charge of the injured dog, cat, or
15 livestock is in the vicinity of the accident, notify that owner or
16 person in charge of the name and address of the driver and owner
17 of the vehicle involved and upon being requested, present his or
18 her driver's license and vehicle registration to the owner or person
19 in charge of the injured dog, cat, or livestock. The information
20 presented shall include the current residence address of the driver
21 and of the registered owner. If the registered owner of an involved
22 vehicle is present at the scene, he or she shall also, upon request,
23 present his or her driver's license information, if available, or
24 other valid identification to the other involved parties.

25 (b) A person who parks a vehicle that, prior to the vehicle again
26 being driven, becomes a runaway vehicle and is involved in an

1 *accident resulting in injury to a dog, a cat, or livestock, attended*
2 *or unattended, shall comply with the requirements of this section*
3 *relating to notification and reporting. The failure to comply with*
4 *the requirements of this section under these circumstances is a*
5 *violation of this section.*

6 *(c) A violation of this section shall be punishable by a fine of*
7 *not more than one hundred dollars (\$100) for a first offense and*
8 *by a fine of not less than fifty dollars (\$50) nor more than two*
9 *hundred dollars (\$200) for a second and each subsequent offense.*

10 *SEC. 2. No reimbursement is required by this act pursuant to*
11 *Section 6 of Article XIII B of the California Constitution because*
12 *the only costs that may be incurred by a local agency or school*
13 *district will be incurred because this act creates a new crime or*
14 *infraction, eliminates a crime or infraction, or changes the penalty*
15 *for a crime or infraction, within the meaning of Section 17556 of*
16 *the Government Code, or changes the definition of a crime within*
17 *the meaning of Section 6 of Article XIII B of the California*
18 *Constitution.*

19 ~~SECTION 1. It is the intent of the Legislature to enact~~
20 ~~legislation to include animals, pets, and livestock under Section~~
21 ~~20001 of the Vehicle Code, the basic "hit and run" statute, in order~~
22 ~~to fine drivers who leave the scene of an accident without trying~~
23 ~~to contact the owner or local authorities or render aid to the injured~~
24 ~~animal, pet, or farm animal.~~